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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Complaint Filed: August 3, 2007

18 The motions of defendant Pamela Zimba (1), to dismiss the first, second and fourth causes
19 of action of plaintiff Christine Chang's Complaint, as asserted in her individual and representative
20 capacities, (2), or in the alternative, for a more definite statement with respect to the said causes of
21 action, and (3), for a more definite statement with respect to plaintiff's third and fifth causes of
22 action, as asserted in her individual and representative capacities, came on for hearing before
23 Honorable _____ on _____, 200_. Ms. Zimba was represented
24 by her counsel, Andrew R. Adler of Boornazian, Jensen & Garthe. Ms. Chang was present in
25 court, appearing in pro per individually and in her capacity as guardian ad litem for Eric Sun.
26 Having reviewed the parties' written and oral arguments, and good cause appearing therefore, the
Court made the following orders:

It is hereby ordered that defendant Zimba's motion to dismiss plaintiff Chang's first,

1 second and fourth causes of action, as asserted in her individual and representative capacities, is
2 GRANTED, without leave to amend, on the following grounds:

3 1. Plaintiff's first cause of action is barred by the two-year statute of limitations set out
4 in California CCP §335.1;

5 2. Inasmuch as defendant Zimba represented Ms. Chang and Mr. Sun in the actions
6 that underlie the instant action, and did not issue or utilize any process as against Ms. Chang
7 and/or Mr. Sun, plaintiff's second cause of action fails to state any grounds upon which any relief
8 might be granted as against Ms. Zimba;

9 3. Plaintiff's second cause of action is barred by the two-year statute of limitations set
10 out in California CCP §335.1; and

11 4. Plaintiff's fourth cause of action is barred by the two-year statute of limitations set
12 out in California CCP §335.1.

13 It is further ordered that Ms. Zimba's motion for a more definite statement be GRANTED
14 with respect to plaintiff Chang's third and fifth causes of action, as asserted in her individual and
15 representative capacities, and that plaintiff shall serve and file her amended Complaint, restating
16 her third and fifth causes of action, on or before _____, 200_.
17

18 IT IS SO ORDERED.

19 Dated: _____

20 Judge of The United States District Court

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